Research Proposal

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Limits of Judicial Control on Authoritarian Tendencies through the Doctrine of Basic Structure

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1. INTRODUCTION

The doctrine of basic structure, as propounded by the Supreme Court in Kesavananda Bharati v. State of Kerala (1973), holds that there are certain core principles and features of the Indian Constitution that cannot be amended or altered by the Parliament, even through a constitutional amendment. These features form the foundation of the Constitution and are essential to its identity. Prominent among them are the supremacy of the Constitution, rule of law, separation of powers, sovereign, democratic and republican nature of the Indian polity, secularism, federalism, the mandate to build a welfare state, freedom and dignity of the individual, unity and integrity of the nation, judicial review, and the independence of the judiciary. These features collectively safeguard the democratic framework and prevent authoritarian encroachments. The doctrine is assumed to serve as a constitutional check against any attempt—by the legislature or executive—to dilute or override the essential principles on which the Constitution rests**.**

2. THE STATEMENT OF PROBLEM

The basic structure doctrine which is one of the core principles of Indian constitutional jurisprudence has developed as a weapon of imminent defense of the core values and principles enshrined in the Indian Constitution. This doctrine gives the judiciary the power to observe and protect such basic principles against any form of violation by the legislative or the executive arm of the government. Although the doctrine of basic structure plays a vital role in safeguarding the democratic nature of India, it also brings forth a number of the relevant questions and concerns that should be thoroughly explored[1]. The first question that arises in this research would be to determine the key stakeholders who are having a vested interest in the doctrine of basic structure. This question leads us to the question of the roles of different actors in Indian democratic system including the judiciary, legislature, executive, civil society and the general citizenry. It is important to know the interests and views of these stakeholders in determining whether the doctrine would be effective in checking the authoritarian tendencies. A key point of this study will involve a review of the available literature and research on the doctrine of basic structure in India. These judicial views, school publications and legal commentaries have over the years added to the law discourse on this doctrine including the historic supreme court ruling on the Kesavananda Bharti case.

[1] Noorani, A. G. (2001). Behind the basic structure doctrine. Frontline, 18(9), 46.

This available literature must be revised and clarified, must it be understood, to determine what has been covered, or to what extent. Although the literature of the doctrine of basic structure is rather abundant, there remain questions that need to be answered, and the areas that need to be researched. These gaps on our knowledge concerning the doctrine should be subjected to harsh scrutiny. Some of the unanswered questions are the practical applicability of the doctrine, the manner in which this doctrine can assist in stemming out the authoritarian inclination in the contemporary India and the hurdles that the judiciary would go through when handling the cases related to the basic structure. This research will significantly contribute to existing research on the doctrine of basic structure and its utilization to restrain the aspect of authoritarian tendencies in India. The study will give a better insight into the practical implications of the doctrine and how the doctrine would apply to the capacity of the Indian judiciary to guard the democratic principles, unresolved questions and the unknowns of the doctrine. The additional elaboration of the Indian judicial system can be improved with the help of a more pliant interpretation of regulations of the doctrine of basic structure. Rigidity of the doctrine is also a current problem that can make the doctrine unable to adapt to the dynamism of constitutional challenges. Therefore, an analytical evaluation of the topicality of the doctrine and its prospects to reformat will be required in order to come up with an objective of a robust, democratic, and accountable Indian system of governance. In conclusion, the research paper tries to shed light on the prerogative of judicial restraint of authoritarian tendencies in regards to doctrine of basic structure in the Indian setting. The interests of the main stakeholders will be analyzed, the existing knowledge will be evaluated, the unexplored areas will be defined, and the hypothesis will be tested. The paper will contribute towards the further evolution of the research in relation to the role of this doctrine in upholding the democratic reality in India and determining the further evolution of this country.

3. REVIEW OF LITERATURE

The Doctrine of Structure Doctrine (DBS) is a judicially developed doctrine that was developed in Kesavananda Bharati v State of Kerala, when the Supreme Court considered restrictions on the amending authority of Parliament under Article 368 of the Constitution implicitly imposed. This became an important turning point of the constitutional history of India as it affirmed the superiority of some of the key principles of being in government like rule of law, judicial review and secularism. Some critics have noted that the DBS acts as an authoritarian firewall in the constitution. But this has also been condemned as a self-imposed restriction by judges

on popular sovereignty. This conflict between judicial activism and the constitutional elasticity is the axis of the further discussions of the scope and application of DBS[2].

In his perspective, Sudhir Krishnaswamy sees the DBS not as a judicial doctrine, but as a theoretical framework which are capable of incorporating both democratic values and institutional restraint. He contends in his seminal book that the doctrine has ensured that India has not drifted towards the majoritarian authoritarianism by protecting basic constitutional commitments. However, Krishnaswamy also points out the fallibility involved in the application of the doctrine in the subsequent cases and the necessity of an ethical guideline to its application. His strategy tries to bring the two together; the supremacy of the court and democratic legitimacy[3].

With a stronger tone, Upendra Baxi offers a more penal view of the application of DBS by the judiciary as most of the time, it becomes a cloak of political interests performed in the name of interpreting the constitution. He criticizes the activism of the Supreme Court in so many cases such as Minerva Mills and SR Bommai, that the judge acts selectively on the DBS, basing it on political climate. The doctrine therefore turns to be the sword of two-edged type to Baxi it can protect the democracy and conversely provide the authoritarianism of the judiciary[4].

Gautam Bhatia talks about how the Basic Structure Doctrine relates to people's rights and civil freedoms. Bhatia looks at recent constitutional issues to see how DBS has become a way for judges to safeguard the Constitution's liberal democratic nature from illiberal majoritarianism. He uses the NJAC and Aadhaar instances to show that courts are using DBS more and more in terms of rights. He says that this shows a change in constitutional culture, where the courts both check and create constitutional meaning[5].

Anuj Bhuwania is skeptical of judicial expansionism, notably in Public Interest Litigations (PILs), when DBS is used to justify wide judicial authority. He criticizes how the courts have gone from protecting rights to making decisions without being elected. His research suggests

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[2] *Kesavananda Bharati v State of Kerala* (1973) 4 SCC 225.

[3] Sudhir Krishnaswamy, *Democracy and Constitutionalism in India: A Study of the Basic Structure Doctrine* (OUP 2009).

[4] Upendra Baxi, 'The Supreme Court under Trial: The Basic Structure Doctrine Revisited' (1980) 22 JILI 131.

[5] Gautam Bhatia, *The Transformative Constitution: A Radical Biography in Nine Acts* (HarperCollins 2019).

that the unregulated use of DBS has led to a "juristocracy" in India, where the interpretation of the constitution is based more on the fears of the elite than on the will of the people[6].

Minerva Mills judgment strengthened the balance between the Fundamental Rights and the Directive Principles and confirmed that the limited amendment power is the part of constitutional plan. This has been viewed by the scholars as a doctrinal expansion of DBS whereby the aspects of harmony and balance were made key characteristics. The case has also represented an institutional change in the judicial action of implementing constitutional morality instead of the majoritarian dispensation. The decision has been employed since then to overturn oppressive inclinations under the guise of reforming the legislative agenda[7].

Sujit Choudhry talks on how the Indian way of changing the Constitution, especially after Kesavananda, is a kind of "tiered constitutionalism." He says that this is different from Germany and South Africa, where unamendable clauses are clearly written. Even though there is no legal entrenchment provision in India, the courts act as constitutional gatekeepers. Choudhry says that these kinds of constraints made by the courts are necessary in democracies that are broken up or have come after authoritarian rule[8].

The I.R. Coelho v. State of Tamil Nadu case made DBS more useful by applying it to legislation that were put in the Ninth Schedule. The ruling added a "rights test": if a legislation breaks Part III and that breaks the essential framework, it can be thrown out. Scholars saw this as an essential check on legislative abuse, but they warned that giving judges so much power could make things unpredictable and too subjective[9].

Tarunabh Khaitan is against the Basic Structure Doctrine because it is made without the inputs of the ordinary people and is therefore anti-democratic. The reason is that its indeterminacy provides uncontrolled discretion to judges and that this can lead to judicial overreaching as opposed to restraint. Nevertheless, Khaitan also uses it to give credence to its effectiveness as

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[6] Anuj Bhuwania, *Courting the People: Public Interest Litigation in Post-Emergency India* (Cambridge University Press 2017).

[7] *Minerva Mills Ltd v Union of India* (1980) 3 SCC 625.

[8] Sujit Choudhry, 'He Had a Mandate: The Indian Supreme Court and the Basic Structure Doctrine' in Rosalind Dixon and Tom Ginsburg (eds), *Comparative Constitutional Law in Asia* (Edward Elgar 2014) 123.

[9] *I.R. Coelho v State of Tamil Nadu* (2007) 2 SCC 1.

a counter-majoritarian device when it is led by an elected government which is keen on embracing illiberal constitutional reforms. His measured opinion brings out the paradox of DBS, which is needed but ethically weak[10].

Setu Gupta's empirical examination of constitutional modifications and judicial responses after Kesavananda demonstrates that judicial interventions have become more common and more varied. She says that DBS has changed the Indian judiciary from a passive interpretation of constitutional norms to an aggressive enforcer of those values. Gupta, on the other hand, argues that relying too much on judicial doctrine could hurt democratic debate in constitutional politics[11].

Priya Bansal says in her commentary that the Doctrine of Basic Structure is a constitutional safeguard, but it doesn't have a clear textual basis, which makes it open to political interpretations. Her research looks at how courts in the UK and Canada manage constitutional entrenchment in different ways, with the UK depending more on legislative trust than judicial doctrine. She says that India's reliance on DBS may be important, but it shows that the country's constitutional culture is weak[12].

In judicial writings, Justice V.R. Krishna Iyer was an avid proponent of binding Supreme Decisions to curb unlimited parliamentary authority. He considered the doctrine based on the moral and constitutional philosophy. Through his decisions and writings, he repeatedly put an emphasis on justice as the soul of the Constitution implying the fact that legal formalism should be replenished with fair interpretation in cases when democracy is involved. His jurisprudence has taken a root in DBS discourse[13].

D.D. Basu gives a comprehensive and doctrinally deep exposition of DBS by attempting to track down its progression in comparative and Indian contexts. He chronologically discusses the cases concerning amendment one case to Waman Rao and presents DBS as a constitutional innovation of the judges. His analysis is however doctrinal but it still holds because it puts the

[10] Tarunabh Khaitan, 'Judicial Review and the Basic Structure Doctrine' (2011) 8(1) ICON 115.
[11] Setu Gupta, 'A Doctrinal Study of Judicial Review on the Touchstone of Basic Structure' (2016) 2(1) ILI Law Review 93.
[12] Priya Bansal, 'Constitutional Supremacy and the Basic Structure Doctrine: An Inter-Jurisdictional Study' (2018) 5(3) NLU Delhi Law Journal 67.
[13] V.R. Krishna Iyer, *Of Law and Life* (Eastern Book Company 1984) 54–62.

original intent debate in the lens of Indian federalism, separation of powers and independent judiciary[14].

Setu Gupta's study goes into more detail about how the courts have "institutionalized" DBS so that it now acts like an unwritten, entrenched clause. She points out that the courts have broadened DBS's reach from structural principles to social and economic purposes, as shown by PIL-driven issues over education and the environment. She says that going too far like this could make democracy less open by giving judges too much power to interpret the Constitution[15].

This was reaffirmed by the judiciary as a basic structure under the Supreme Court decision of the case L. Chandra Kumar v Union of India where the judicial review was said to be applied even to the matters involving the tribunal. This evidence has been brought up by scholars as one of the moments when the Court claimed institutional hegemony to the DBS, and no quasi-judicial power could depose constitutional courts. This judicial case contributed to the resolution of the controversy of the legality of tribunalization and strengthening of the judiciary as the supreme arbiter[16].

In Indira Nehru Gandhi v Raj Narain, the Court applied DBS to invalidate a constitutional amendment that endeavored to exempt the election of the Prime Minister of India to judicial review. This was the critical case in terms of the constitutional jurisprudence as it has connected DBS with the democratic justice and electoral responsibility. According to commentators, this case was particularly a demonstration of how the doctrine was capable of becoming a bulwark against executive excesses in the Emergency[17].

Arghya Sengupta provides a critical evaluation of the doctrine by taking into consideration how the doctrine fits in the larger issue of separation of powers. He argues that the application of DBS has at times led to encroachment of judiciary in the spheres of the legislature and executive. Sengupta notes its usefulness but cautions against the so-called juristocratic drift, the transfer of legislative powers to the judiciary so that the system becomes a super-legislature. His criticism is based on Indian and International scenes[18].

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[14] D.D. Basu, *Commentary on the Constitution of India* (9th edn, LexisNexis 2012) vol 1, 344–367.

[15] Setu Gupta, 'A Doctrinal Study of Judicial Review on the Touchstone of Basic Structure' (2016) 2(1) ILI Law Review 93, 101–104.

[16] *L Chandra Kumar v Union of India* (1997) 3 SCC 261.

[17] *Indira Nehru Gandhi v Raj Narain* (1975) Supp SCC 1

[18] Arghya Sengupta, 'Revisiting the Basic Structure Doctrine' (2013) 25(1) National Law School of India Review

This indeterminacy in DBS, according to Rajeev Dhavan, is that its boundaries are blurred and mostly determined by judges. He notes that despite providing immunity against illiberal constitutional amendments, DBS poses a threat of endangering democratic majorities. Dhavan notes that there is need to have a more balanced check between legal constitutionalism and political constitutionalism so as not to result into judicial authoritarianism[19].

The recent NJAC decision that struck down the 99th Constitutional Amendment emphasized that the judiciary is the only body that can make judicial nominations as part of the basic framework. The decision is opposed as it empowers the courts of law by critics and it protects the independence of courts supported by its proponents. The case has also presented fresh controversies regarding the institutional accountability vs autonomy and has demonstrated that DBS is still a controversial aspect of relevance.[20].

The Doctors for Life v Speaker case in South African Constitutional Court stresses the value of the participatory aspect of constitutional democracy. Although the judgment did not refer to it as a basic structure, it really gave the unamendable values a reading into the Constitution. This argues out the notion that even in those systems that bear no clearly defined amendment constraint, the courts protect fundamental principles. The aim of the scholars cited by this is to contend that the DBS of India is part of a worldwide trend of normative constitutionalism[21].

Sibghat Kadri evaluates the help given by religion and secularism in the DBS setting and elaborates upon how the doctrine has been used in safeguarding the secular nature of the Constitution. In such cases, as SR Bommai v Union of India, we have come to recognize that secularism forms part of the basic structure. According to Kadri, this is essential in India where pluralistic environment gives rise to religious polarization that questions constitutional values[22].

Chia explores the tension between legal reasoning (ratio) and political will (voluntas) in modern law, focusing on the concept of "authoritarian constitutionalism." The study critically engages with the ambivalences observed in judicial interpretations, highlighting how courts may inadvertently facilitate authoritarian tendencies under the guise of constitutionalism. This

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[19] Rajeev Dhavan, 'The Supreme Court and the Basic Structure Doctrine: The Search for a Middle Ground' (1998) 10 SCC (Jour) 1.

[20] *Supreme Court Advocates-on-Record Association v Union of India* (2016) 5 SCC 1 (NJAC case).

[21] *Doctors for Life International v Speaker of the National Assembly* (2006) ZACC 11.

[22] Sibghat Kadri, 'Secularism and the Indian Constitution' (1996) 43(30) Economic and Political Weekly 2021.

analysis underscores the complexities courts face in balancing legal norms with political realities[23].

Garoupa and Spruk use synthetic means of control in order to determine the effect of the constitutional referendum of 2010 in Turkiye on the independence of the judiciary. Their results suggest a serious loss of judicial independence, which is explained by the populist constitutional slip backwards. The analysis presents the empirical data on how constitutional changes can weaken the judicial balances on the authoritarian impulses[24].

Zeilberger generalizes the political survival model to explain the uncertainty in the elites in autocracies. The analysis indicates that the concessions are higher in case of increased uncertainty on the part of the inner circle of autocrats, which may destabilize the authoritarian regimes. In this study, the law of elite behavior and stability of authoritarian systems are interdependent and dynamic[25].

The authors explore the circumstances in which autocrats set up secret police services and discover these institutions to develop whether there are certain threats in the form of protests and anti-system mobilization. This paper leads to an insight into the institutionalization of repression by authoritarian regimes in order to remain in power[26].

This paper will follow the development of the Basic Structure Doctrine case by Supreme court cases highlighting its contribution towards restricting the powers of parliament in making amendments to the constitution. It talks about the relevance of the doctrine in maintaining the democratic values and averting the changes in the system of rules by the authoritarian powers to the constitution[27].

The paper analyzes the use and restriction of the Basic Structure Doctrine, especially its extent with regard to the common law. It gives differing judicial views on the application of the

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[23] Chia, E. (2025). Authoritarian constitutionalism, judicial capture or the ambivalence of modern law? The case of the Chilean Constitutional Tribunal. *Oñati Socio-Legal Series*, *15*(2), 427-458.

[24] Garoupa, N., & Spruk, R. (2024). Populist Constitutional Backsliding and Judicial Independence: Evidence from Turkiye. *arXiv preprint arXiv:2410.02439*.

[25] Zeilberger, T. (2024). The Logic of Political Survival Revisited: Consequences of Elite Uncertainty Under Authoritarian Rule. *arXiv preprint arXiv:2408.01887*.

[26] Mehrl, M., Pfander, M., Winner, T., & Fritz, C. (2025). Guardians of the Regime: When and Why Autocrats Create Secret Police. *arXiv preprint arXiv:2506.10194*.

[27] MANHAS, T. T. (2024). The Basic Structure Doctrine: A Comprehensive Case Law Analysis: Doctrine of Basic Structure. *PANJAB UNIVERSITY LAW MAGAZINE-MAGLAW*, *3*(2).

doctrine as there have been debates on the issue of power balance between the judiciary and legislative powers[28].

The article explains the process through which the judicialization of mega-politics in India has been a reaction to political backlash as opposed to deliberate devolution of the legislative power to the courts. It points out the importance of the Basic Structure Doctrine in the maintenance of democracy and separation of powers, and judicial restraint that has been applied by the courts when faced with authoritarian tendencies[29].

This study analyzes two critical moments in the empowerment of the Supreme Court of India: the assertion of the Basic Structure Doctrine and the development of Public Interest Litigation (PIL). It argues that these moments exemplify the role of courts in responding to efforts by political regimes to alter or violate constitutional norms, thereby entrenching certain aspects of the nation's constitutional structure[30].

Focusing on the romanticism of Basic Structure Doctrine, Ananya Vajpeyi remarks that it is usually placed on a pedestal as a holy constitutional relic and who cares more how it functions. She demands further empirical estimation of the way DBS works in modern India. According to Vajpeyi it seems that DBS can be used as a bulwark, but its efficiency is determined by the level at which the judiciary is democratic and stable in its norms[31].

4. RESEARCH GAP

1. Majority of prior studies have focused on the doctrinal development of the Basic Structure Doctrine (DBS) through landmark cases like *Kesavananda Bharati*, *Minerva Mills*, and *I.R. Coelho*.
2. Very few studies have explored the non-application or silence of the judiciary in invoking DBS in recent constitutional disputes.

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[28] Gupta, S. (2016). Vicissitudes and Limitations of the Doctrine of Basic Structure. *Setu Gupta," VICISSITUDES AND LIMITATIONS OF THE DOCTRINE OF BASIC STRUCTURE*, *110*.

[29] Randhawa, J. (2011). Understanding Judicialization Of Mega-Politics: The Basic Structure Doctrine And Minimum Core. *Jus politicum*, *6*, 1-43.

[30] Mate, M. (2010). Two Paths to Judicial Power: The Basis Structure Doctrine and Public Interest Litigation in Comparative Perspective. *San Diego Int'l LJ*, *12*, 175.

[31] Ananya Vajpeyi, 'Constitutional Mythologies and Judicial Heroism' (2022) 5(2) *ConstitutionNet Journal* 71.

3. Recent politically sensitive cases such as the abrogation of Article 370, Citizenship Amendment Act (CAA), and Electoral Bonds Scheme have not seen DBS invoked, despite raising serious constitutional questions.
4. There is limited research examining whether this judicial silence is due to institutional restraint, strategic avoidance, or executive pressure.
5. No detailed study exists that systematically compares the active use of DBS in early cases versus its absence in contemporary judgments**.**
6. There is a need for focused inquiry into how this selective application affects constitutional values, judicial independence, and democratic accountability.
7. There is limited research examining whether the self-proclaimed objective of curbing authoritarian tendencies through DBS is effectively achieved in practice.

5. RESEARCH OBJECTIVES

The basic objective of the said research is to curb the challenges of the Basic Structure Doctrine as to its rigidity and with the flexible doctrine we can attain the check and balance between Judiciary and Parliament, thereby implementing separation of powers.

1. Analyze the existing literature and case law on the doctrine of basic structure to understand the current state of knowledge and identify gaps in understanding.
2. Examine the specific limits of judicial control on authoritarian tendencies with reference to the doctrine of basic structure.
3. Identify the challenges faced by the judiciary in applying the doctrine to address authoritarian tendencies and assess the effectiveness of the current approach.
4. Explore the relationship between the doctrine of basic structure and the separation of powers in the Indian constitutional framework.
5. Examine the historical development and evolution of the doctrine of basic structure to provide a comprehensive understanding of its conceptual foundations.
6. Analyze the impact of the doctrine of basic structure on constitutional amendments and its implications for democratic governance.
7. Provide recommendations for abandoning the doctrine of basic structure in controlling authoritarian tendencies.
8. Contribute to the existing body of knowledge on the doctrine of basic structure and its limitations in safeguarding the democratic principles and values enshrined in the Indian constitution.

6. RESEARCH METHODOLOGY

The research methodology used is the doctrinal method of research and concentrates on the case laws, legal articles, statutes, and authoritative publications. The information will be collected in the form of textbooks, academic articles, and governmental reports. In this way, it is possible to examine the Doctrine of Basic Structure in India in depth. It explores its historical evolution of the case laws and statutes and also reviews the scholarly viewpoints and arguments in academic articles. The study of the hypothesis regarding the necessity of further flexibility in the Doctrine of Basic Structure will be supported by this extensive research of the doctrine. It guarantees the legal integrity of the research, which lies in the Indian legal system, and leads to a complete study of its effect on the development of the judiciary.

7. SCOPE OF RESEARCH

- The study is confined to the interpretation and application of the Basic Structure Doctrine (DBS) by the Indian Supreme Court.
- The research includes analysis of judgments, academic writings, legal commentaries, and case law reviews to understand the judicial approach towards DBS.
- The study will also explore the implications of non-application of DBS on constitutional democracy, federalism, secularism, and judicial accountability**.**
- Comparative references may be drawn from other constitutional jurisdictions where similar doctrines exist, but the primary focus remains on Indian constitutional jurisprudence**.**

8. HYPOTHESIS

The hypothesis of this research is that the doctrine of basic structure in the hands of the Supreme Court is helpless in controlling authoritarian tendencies. In fact, the doctrine poses a positive danger to the robust defense of constitutional democracy by lulling the legal fraternity into complacency.

9. LIMITATION OF RESEARCH

The first mode of the study is doctrinal in nature and the researcher will be inclined heavily to pronouncements of the judges, academic criticism and interpretation of the constitution. It fails to use empirical data, field survey and interviews that would have given the research a wider socio-legal view. The analysis is restricted to the decisions made by the Supreme Court of India and disregards the views of other lower levels or High Courts. There is also limiting on the

number of cases which was studied mainly on landmark constitutional cases where the Basic Structure Doctrine has been argued or rather has been argued to be anticipated in nature thus narrowing the scope on cases with peripheral relevance. Although certain examples of comparative analysis of foreign jurisdictions might be cited to obtain a conceptual knowledge, the majority of the focus is on the local situation in India. Finally, it is not stated anywhere in the research that they have a clear answer as to why the judiciary remained silent; instead, they try to understand what the potential outcomes and trends could be behind such partial usage of the law.

10. SIGNIFICANCE OF RESEARCH

The current research is extremely important since it examines the silence and partial enforcement of the Basic Structure Doctrine (DBS) by the judiciary in the modern constitutional issues. Although traditionally, many found that DBS has always played the role of a guarantee towards keeping authoritarian amendments at bay, the recent developments of its uneven determination in some of the landmark cases by the Supreme Court have cast a great deal of doubt in terms of judicial responsibility and constitutional ethics, as well as that of separating powers. The study goes beyond just supplementing a substantial hole existing in the Indian constitutional studies, but also provides a better insight into how judicial restraint or omission may affect the impact of the democratic structure. It offers crucial knowledge to legal scholars, law-makers and lawyers who would want to understand whether fundamental constitutional values are degraded under the interpretive minimalism or strategic silence.

11. CHAPTERIZATION

Chapter 1: Introduction

Chapter 2 Historical Context in which DBS developed and Found its Justification

Chapter 3: Basic Structure Review: Promises Kept and Broken

Chapter 4: Application and Non- Application of the Doctrine of Basic Structure.

Chapter 5: Conclusions and Recommendations.

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17. *Indira Nehru Gandhi v Raj Narain* (1975) Supp SCC 1.

18. *Supreme Court Advocates-on-Record Association v Union of India* (2016) 5 SCC 1.

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